

## § 319.37-2

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other territory or possession of the United States.

*State Plant Regulatory Official.* The official authorized by the State to sign agreements with Federal agencies involving operations of the State plant protection agency.

*Taxon (taxa).* Any grouping within botanical nomenclature, such as family, genus, species, or cultivar.

*United States.* All of the States.

[45 FR 31585, May 13, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 319.37-1, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

### § 319.37-2 Prohibited articles.

(a) The following listed articles from the designated countries and localities are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section.

Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Abelmoschus</i> spp. (okra) .....	Africa ..... Brazil ..... Bangladesh, India, Sri Lanka ..... Cote d'Ivoire, Nigeria ..... Iraq ..... Papua New Guinea, Trinidad and Tobago.	Cotton leaf curl agent. Cotton Anthracnose agent. Bhendi yellow vein mosaic agent. Okra mosaic virus. Okra yellow leaf curl agent. Okra mosaic agents.
<i>Abies</i> spp. (fir) .....	All except Canada .....	50 or more species of rusts including <i>Chrysomyxa abietis</i> (Wallr.) Ung. (a rust causing a serious needle disease); <i>Phaciopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Uromyces abietis</i> (Sacc.) McAlp. (Rust). <i>Xanthomonas acuticola</i> (Ogawa) Burk. Maple mosaic or variegation diseases.
<i>Acacia</i> spp. (acacia) .....	Australia and Oceania .....	
<i>Acer</i> spp. (maple) (except <i>Acer palmatum</i> and <i>Acer japonicum</i> meeting the conditions for importation in §§ 319.37-5 or 319.37-7.	Japan ..... Europe, Japan .....	
<i>Actinidia</i> spp. (Chinese gooseberry, kiwi) ..	Japan and Taiwan .....	<i>Pucciniastrum actinidiae</i> Hiratusuka (Rust).
<i>Adonia</i> spp. ....	All .....	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Aeglopsis</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x) ..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Aesculus</i> spp. (horsechestnut) .....	Czech Republic, Germany, Romania, Slovakia, United Kingdom.	Horsechestnut variegation or yellow mosaic diseases.
<i>Alphane</i> spp. (coyure, ruffe, and spine palm).	All .....	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Allagoptera arenaria</i> .....	All .....	A diversity of diseases including, but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Althaea</i> spp. (althaea, hollyhock) ....	Africa ..... Bangladesh, India, Sri Lanka .....	Cotton leaf curl agent. Bhendi yellow vein mosaic agent.
<i>Arachis</i> spp. (peanut) seed only (all other <i>Arachis</i> articles are included under Fabaceae).	India, Indonesia, Japan, People's Republic of China, Philippines, Taiwan, Thailand. Burkina Faso, Cote d'Ivoire, Senegal India.	Peanut stripe virus. Peanut clump virus. Indian peanut clump virus.
<i>Areca</i> spp. ....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Arenga</i> spp. (sugarpalm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
Articles listed in § 319.37-2(b) .....	All except Canada .....	A diversity of diseases, insects, and other pests, including but not limited to: <i>Cactoblastis cactorum</i> (Berg); <i>Metamasius</i> spp.; <i>Opogona sacchari</i> (Bojer); <i>Chrysomya himalensis</i> Barclay (Spruce needle rust); <i>Aecidium mori</i> Barclay (Mulberry rust); <i>Pseudomonas lignicola</i> Westherd. & Buis. (Bacterial stain); <i>Pucciniastrum areolatum</i> (Fr.) Otth. (Cherry-spruce rust).

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<i>Atalantia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Balsamocitrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
Bambuseae (seeds, plants, and cuttings).	All .....	Various plant diseases, including bamboo smut ( <i>Ustilago shiraiana</i> )
<i>Berberis</i> spp. (barberry, includes <i>Mahoberberis</i> and <i>Mahonia</i> spp.) (plants of all species and horticultural varieties not designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All .....	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Berberis</i> spp. (barberry, includes <i>Mahoberberis</i> and <i>Mahonia</i> spp.) destined to an eradication State listed in § 301.38-2a of this chapter (plants of all species and horticultural varieties designated as resistant to black stem rust in accordance with § 301.38-1 of this chapter).	All .....	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Berberis</i> spp. (barberry, includes <i>Mahoberberis</i> and <i>Mahonia</i> spp.) seed.	All .....	<i>Puccinia graminis</i> Pers. (Black stem rust).
<i>Bergera</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Blighia sapida</i> (akee) .....	Cote d'Ivoire, Nigeria .....	Okra mosaic virus.
<i>Borassus</i> spp. (palmyra palm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Brugmansia</i> spp. ....	Colombia .....	<i>Datura</i> Columbia virus.
<i>Calodendrum</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Caryota</i> spp. (fishtail palm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Castanea</i> spp. (chestnut) .....	All .....	<i>Cryphonectria parasitica</i> (Murrill) Barr (chestnut blight); <i>Dryocosmus kuriphilus</i> Yasumatsu (gall wasp).
<i>Cedrus</i> spp. (cedar) .....	Europe .....	<i>Phaciidiopycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker). <i>Fusarium fuliginosporum</i> Sibia (Seedling disease).
<i>Chaenomeles</i> spp. (flowering quince) not meeting the conditions for importation in §§ 319.37-5(b).	All .....	A diversity of diseases including but not limited to those listed for <i>Chaenomeles</i> in § 319.37-5(b).
<i>Chrysanthemum</i> spp. (chrysanthemum, includes <i>Dendranthema</i> spp.) not meeting the conditions for importation in §§ 319.37-5(c) and 319.37-7.	All .....	<i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Citrofortunella</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Citroncirus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Citrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening); citrus variegated chlorosis.
<i>Clausena</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Cocos</i> spp. (other than <i>Cocos nucifera</i> ).	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.

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<i>Cocos nucifera</i> (coconut) (including seed) (Coconut seed without husk or without milk may be imported into the United States in accordance with § 319.56-11).	All except from Jamaica or Costa Rica if meeting the conditions for importation in § 319.37-5(g).	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Corypha</i> spp. ....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Crocasmia</i> spp. (montebretia) .....	Africa .....	<i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust), <i>U. gladioli</i> P. Henn. (rust), <i>U. transversalis</i> (Thuem.) Wint. (rust).
<i>Crocasmia</i> spp. (montebretia), except bulbs in commercial shipments.	Argentina, Uruguay ..... Africa, Brazil, France, Italy, Malta, Mauritius, Portugal.	
<i>Cydonia</i> spp. (quince) not meeting the conditions for importation in § 319.37-5(b).	All .....	A diversity of diseases including but not limited to those listed for <i>Cydonia</i> in § 319.37-5(b)(1).
<i>Datura</i> spp. ....	India .....	Datura distortion or enation mosaic virus.
<i>Datura</i> spp. (woody species) .....	(See <i>Brugmansia</i> spp.).	
<i>Dendranthema</i> spp. (chrysanthemum).	See <i>Chrysanthemum</i> spp. ....	See <i>Chrysanthemum</i> spp.
<i>Dictyosperma</i> spp. (Princesspalm)	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Dracaena</i> spp. plants not meeting the conditions for import in § 319.37-5(y).	Costa Rica .....	<i>Ancistrocercus circumdatus</i> ; <i>Caldwelliella reservata</i> ; <i>Chaetanaphothrips signipennis</i> (banana rust thrips); <i>Coccus viridis</i> (green scale); <i>Diplosolenodes occidentalis</i> (spotted leatherleaf slug); <i>Erioloides consobrinus</i> ; <i>Neoconocephalus affinis</i> (rattler conehead katydid); <i>Oncometopia clarior</i> (blue sharpshooter); <i>Ovachlamys fulgens</i> ; <i>Pallifera costaricensis</i> (Costa Rica mantle slug); <i>Planococcus minor</i> (passionvine mealybug); <i>Pseudococcus landoi</i> (lando mealybug); <i>Sarasinula plebeia</i> (Caribbean leatherleaf slug); <i>Succinea costaricana</i> ; <i>Xylosandrus morigerus</i> (brown coffee twig beetle).
<i>Dypsis</i> spp. (butterfly palm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Elaeis</i> spp. (oil palm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Erianthus</i> spp. (plumegrass) .....	All .....	<i>Puccinia melanocephala</i> H. Syd. & P. Syd. (Sugarcane rust).
<i>Eucalyptus</i> spp. (eucalyptus) .....	Europe, Sri Lanka, and Uruguay ....	<i>Pestalotia disseminata</i> Thuem. (parasitic leaf fungus).
<i>Euonymus</i> spp. (euonymus) .....	Europe, Japan .....	<i>Euonymus</i> mosaic diseases.
Fabaceae ( = Leguminosae) (herbaceous spp. only).	All except Canada .....	A diversity of diseases including but not limited to: African soybean dwarf agent, alfalfa enation virus, azuki bean mosaic virus, bean golden mosaic virus, cowpea mild mottle virus, French bean mosaic virus, groundnut chlorotic leaf streak virus, groundnut chlorotic spotting virus, groundnut rosette agents, groundnut witches broom MLO, horsegram yellow mosaic virus, Indonesian soybean dwarf virus, lima bean mosaic virus, lucerne Australian symptomless virus, lucerne vein yellowing virus, mung bean yellow mosaic virus, peanut stripe virus, red clover mottle virus, and soybean dwarf virus.
<i>Fortunella</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Fragaria</i> spp. (strawberry) not meeting the conditions for importation in § 319.37-5(h).	All except Canada .....	<i>Phytophthora fragariae</i> Hickman (Red stele disease).
<i>Fraxinus</i> spp. (ash) .....	All except for any county or municipal regional county in Canada not regulated because of the emerald ash borer.	<i>Agrilus planipennis</i> (emerald ash borer).

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	Europe .....	<i>Pseudomonas savastanoi</i> var. <i>fraxini</i> (Brown) Dowson (Canker and dwarfing disease of ash).
<i>Gaussia</i> spp. (Illumepalm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Gladiolus</i> spp. (gladiolus) .....	Africa .....	<i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust).
<i>Gladiolus</i> spp. (gladiolus), except bulbs in commercial shipments.	Argentina, Uruguay .....	<i>U. gladioli</i> P. Henn. (rust).
<i>Gossypium</i> spp. (cotton, cottontree)	Africa, Brazil, France, Italy, Malta, Mauritius, Portugal.	<i>U. transversalis</i> (Thuem.) Wint. (rust).
	All .....	A diversity of diseases including but not limited to: cotton leaf curl virus; cotton virescence agent; small leaf virus.
<i>Hibiscus</i> spp. (kenaf, hibiscus, rose mallow).	Africa .....	Cotton leaf curl agent.
	Brazil .....	Cotton anthocyanosis agent.
	India .....	Hibiscus leaf curl agent.
<i>Howea</i> spp. (sentry palm) not meeting the conditions in § 319.37-5(n).	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Hydrangea</i> spp. (hydrangea) .....	Japan .....	<i>Aecidium hydrangeae-paniculatea</i> Dietel.
<i>Hyophorbe</i> spp. (palm) .....	All .....	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ipomoea</i> spp. (sweetpotato) .....	All except Canada .....	A diversity of diseases including but not limited to: sweetpotato witches broom (little leaf); and sweetpotato viruses of eastern Africa.
<i>Jasminum</i> spp. (jasmine) .....	Belgium, Germany, Great Britain .....	Jasmine variegation diseases.
	India .....	Chlorotic ringspot, phyllody, yellow ring mosaic diseases.
<i>Juniperus</i> spp. (juniper) .....	Philippines .....	Sampaguita yellow ringspot mosaic diseases.
	Austria, Finland, and Romania .....	<i>Stigmina deflexans</i> (Karst) Ellis (Needlecast disease).
	Europe .....	<i>Phaciodypynis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Larix</i> spp. (larch) .....	Provinces of New Brunswick and Nova Scotia in Canada, Europe, and Japan.	<i>Lachnellula willkommii</i> (Hartig) Dennis (European larch canker).
	Europe .....	<i>Phaciodypynis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Latania</i> spp. ....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Leersia</i> spp. (cutgrass) seed only (all other <i>Leersia</i> articles are included under <i>Poaceae</i> ).	All .....	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
<i>Lens</i> spp. seed (lentil) .....	South America .....	<i>Uromyces viciae-fabae</i> (Pers.) Schroet. (Rust).
<i>Leptochloa</i> spp. (sprangletop) seed only (all other <i>Leptochloa</i> articles are included under <i>Poaceae</i> ).	All .....	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.
<i>Leucanthemella serotina</i> not meeting the conditions for importation in §§ 319.37-5(c) and 319.37-7.	All .....	<i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Ligustrum</i> spp. (privet) .....	Europe .....	<i>Ligustrum</i> mosaic diseases.
<i>Limonia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Livistona</i> spp. (fan palm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Malus</i> spp. (apple, crabapple) not meeting the conditions for importation in §§ 319.37-5(b) and 319.37-7.	All .....	A diversity of diseases including but not limited to those listed for <i>Malus</i> in § 319.37-5(b)(1).

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<i>Mangifera</i> spp. (mango) seed only. (Prohibition not applicable to seeds imported into Guam, Hawaii, and the Northern Mariana Islands).	All except Guimaras Island (Republic of the Philippines) and North and South America (excluding Barbados, the British Virgin Islands, Dominica, French Guiana, Grenada, Guadeloupe, Martinique, St. Lucia, St. Vincent and the Grenadines, and Trinidad and Tobago).	<i>Sternochetus mangiferae</i> F. (mango seed weevil).
<i>Manihot</i> spp. (cassava) .....	All except Canada .....	A diversity of diseases, insects, and other pests including but not limited to: <i>Mononychellus tanajoa</i> (Bondar) (cassava mite); <i>Phenococcus manihotis</i> Matile-Ferrero (cassava mealybug); <i>Xanthomonas manihotis</i> (Arthand-Berthet) Starr (Bacterial blight); Cassava brown streak virus; Cassava latent virus; Cassava African mosaic virus; Cassava common mosaic virus.
<i>Mascarena</i> spp. ....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Microcitrus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Morus</i> spp. (mulberry) .....	India, Japan, Korea, People's Republic of China, Thailand, and the geographic area formerly known as the Union of Soviet Socialist Republics.	Mulberry dwarf or mulberry mosaic diseases.
<i>Murraya</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Nannorrhops</i> spp. (mazaripalm) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Nipponanthemum nipponicum</i> not meeting the conditions for importation in §§ 319.37-5(c) and 319.37-7.	All .....	<i>Puccinia horiana</i> P. Henn. (white rust of chrysanthemum).
<i>Pelargonium</i> spp. not meeting the conditions for importation in § 319.37-5(r).	All .....	Potato brown rot ( <i>Ralstonia solanacearum</i> race 3 biovar 2).
<i>Pelargonium</i> spp. plants not meeting the conditions for importation in § 319.37-5(u).	Canary Islands (Spain) .....	<i>Helicoverpa armigera</i> , <i>Chrysodeixis chalcites</i> , and <i>Syngrapha circumflexa</i> (syn. <i>Cornutiplusia circumflexa</i> ).
<i>Persea</i> spp. (avocado) seed .....	Central and South America, and Mexico.	<i>Heilipus lauri</i> Boh. (Avocado weevil); <i>Stenomacra catenifer</i> Wals. (Avocado seed moth); <i>Conotrachelus</i> spp.
<i>Philadelphus</i> spp. (mock orange) ...	Europe .....	Elm mottle virus.
<i>Phoenix</i> spp. (date) .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Picea</i> spp. (spruce) .....	Europe, Japan, and Siberia .....	<i>Chrysomyxa ledi</i> (Alb. & Schw.) d By var. <i>rhododendri</i> (DC) Savile. (Rhododendron-spruce needle rust).
	Europe. ....	<i>Phacioprycnis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Pinus</i> spp. (pine) (2- or 3-leaved) ...	Europe and Japan .....	<i>Cronartium flaccidum</i> (Alb. & Schw.) Wint. (Rust causing serious stunting of hard pines.)
	Japan. ....	Gall-forming rust.
Plants (except bulbs, dormant herbaceous perennials, and seeds) not meeting the conditions for importation in § 319.37-5(v).	Israel .....	<i>Spodoptera littoralis</i> and other quarantine pests.

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<i>Poaceae</i> (vegetative parts of all grains and grasses, except species of Bambuseae).	All except Canada .....	A wide diversity of plant diseases, including but not limited to: banana streak virus, barley yellow mosaic virus, barley yellow striate mosaic virus, brome streak mosaic virus, cereal chlorotic mosaic virus, cocksfoot mild mosaic virus, corn stunt Spiroplasma, Cynodon chlorotic streak virus, cynosurus mottle virus, Echinochloa ragged stunt virus, European aster yellows MLO, European wheat striate mosaic virus, Iranian maize mosaic virus, maize bushy stunt MLO, maize chlorotic mottle virus, maize mosaic virus, maize mottle/chlorotic stunt virus, maize rough dwarf virus, maize streak virus, maize stripe virus, northern cereal mosaic virus, oat red streak mosaic virus, oat sterile dwarf virus, rice dwarf virus, rice gall dwarf virus, rice tungro virus, rice wilted stunt virus, rice yellow mottle virus, rice yellow dwarf agent, yellow dwarf agent, sugarcane white leaf MLO, wheat yellow leaf virus, and wheat yellowing stripe bacterium.
<i>Poncirus</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Populus</i> spp. (aspen, cottonwood, poplar).	Europe .....	<i>Xanthomonas populi</i> Ride (Canker).
<i>Pritchardia</i> spp .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Prunus</i> spp. not meeting the conditions for importation in § 319.37-5(b).	All .....	A diversity of diseases including but not limited to those listed for <i>Prunus</i> in § 319.37-5(b).
<i>Prunus</i> spp. not meeting the conditions for importation in § 319.37-5(b).	All .....	A diversity of diseases including but not limited to those listed for <i>Prunus</i> in § 319.37-5(b).
<i>Pseudolarix</i> spp. (golden larch) .....	Provinces of New Brunswick and Nova Scotia in Canada, Europe, and Japan.	<i>Lachnellula willkommii</i> (Hartig) Dennis (European larch canker).
<i>Pseudotsuga</i> spp. (Douglas fir) .....	Europe .....	<i>Phaciodyopocynis pseudotsuga</i> (M. Wils.) Hahn (Douglas fir canker).
<i>Pyrus</i> spp. (pear) not meeting the conditions for importation in § 319.37-5(b).	All .....	A diversity of diseases including but not limited to those listed for <i>Pyrus</i> in § 319.37-5(b)(1).
<i>Quercus</i> spp. (oak) .....	Japan .....	<i>Stereum hiugense</i> Imazeki (White rot); a gall-forming rust.
<i>Ravenia</i> spp. (palm) .....	All .....	A diversity of diseases including but not limited to: lethal yellowing disease; cadang-cadang disease.
<i>Ribes</i> spp. (currant, gooseberry) ....	Europe and New Zealand .....	Black currant reversion agent.
<i>Rosa</i> spp. (rose) .....	Australia, Bulgaria, Italy, and New Zealand.	Rose wilt virus.
<i>Rubus</i> spp. not meeting the conditions for importation in § 319.37-5(f).	Europe .....	<i>Rubus</i> stunt agent
<i>Salix</i> spp. (willow) .....	Belgium, Germany, Great Britain, Japan, and the Netherlands.	<i>Brenneria salicis</i> (Day) Hauben et al., syn. <i>Erwinia salicis</i> (Day) Chester (Watermark disease).
Seeds of all kinds when in pulp .....	All except Canada .....	Fruit flies, or other injurious insects.
<i>Severinia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus Liberibacter</i> spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Solanum</i> spp. (potato) (tuber bearing species only—Section Tuberarium), including potato tubers.	All except Canada (except Newfoundland and that portion of the Municipality of Central Saanich in the Province of British Columbia east of the West Saanich Road)..	Andean potato latent virus; Andean potato mottle virus; potato mop top virus; dulcamara mottle virus; tomato blackring virus; tobacco rattle virus; potato virus Y (tobacco vein necrosis strain); potato purple top wilt agent; potato marginal flavescence agent; potato purple top roll agent; potato witches broom agent; stolbur agent; parastolbur agent; potato leaflet stunt agent; potato spindle tuber viroid; arracacha virus B; potato yellowing virus.

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Prohibited article (includes seeds only if specifically mentioned)	Foreign places from which prohibited	Quarantine pests existing in the places named and capable of being transported with the prohibited article
<i>Solanum</i> spp. true seed (tuber bearing species only—Section Tuberarium).	All except Canada, New Zealand, and the X region of Chile (that area of Chile between 39° and 44° South latitude—see § 319.37-5(o)).	Andean potato latent virus, potato virus T, tobacco ringspot virus (Andean potato calico strain); arracacha virus B; potato yellowing virus.
<i>Solanum</i> spp. not meeting the conditions for importation in § 319.37-5(r).	All .....	Potato brown rot ( <i>Ralstonia solanacearum</i> race 3 biovar 2).
<i>Sorbus</i> spp. (mountain ash) .....	Czech Republic, Denmark, Germany, Slovakia.	Mountain ash variegation or ringspot mosaic disease.
<i>Swinglea</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Syagrus schizophylla</i> (Mart.) Glassman (arikury palm).	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Syringa</i> spp. (lilac) not meeting the conditions for importation in § 319.37-5(i).	Europe .....	Elm mottle virus.
<i>Theobroma</i> spp. (cacao) .....	All .....	A diversity of diseases and pests including but not limited to: cocoa swollen shoot virus, cocoa mottle leaf virus, cocoa yellow mosaic virus, cocoa necrosis virus, <i>Crinipellis perniciosa</i> (Stahel) Singer (witches broom fungus), <i>Monilia rorei</i> — <i>Moniliophthora rorei</i> (CiF.) H.C. Evans et al. (warty pod rot), cocoa isolates of <i>Ceratocystis fimbriata</i> Ellis and Halst (wilts), <i>Trachysphaera fructigena</i> Tabor and Bunting (mealy pod agents of cushy gall disease), <i>Oncobasidium theobromae</i> Talbot and Keane (vascular streak die-back), <i>Xyleborus</i> spp. beetles and <i>Acrocercops cramella</i> (Snellen) (cocoa moth).
<i>Toddalia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Trachycarpus</i> spp. (windmill palm)	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Triphasia</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Ulmus</i> spp. (elm) (including seeds)	Europe .....	Elm mottle virus.
<i>Vaccinium</i> spp. plants not meeting the conditions for importation in § 319.37-5(t).	Canada .....	Blueberry scorch carlavirus (strains BC-1 and BC-2).
<i>Veitchia</i> spp .....	All .....	A diversity of diseases including but not limited to: Lethal yellowing disease; Cadang-cadang disease.
<i>Vepris</i> spp. seed not meeting the conditions for importation in § 319.37-5(w) or (x)..	All .....	<i>Candidatus</i> Liberibacter spp. (Huanglongbing disease of citrus, Citrus greening).
<i>Vitis</i> spp. (grape) not meeting the conditions for importation in § 319.37-5(b).	All .....	A diversity of diseases including but not limited to those specified for <i>Vitis</i> in § 319.37-5(b)(1).
<i>Watsonia</i> spp. (bugle lily) .....	Africa .....	<i>Puccinia mcleanii</i> Doidge (rust), <i>Uredo gladioli-buettneri</i> Bub. (rust), <i>Uromyces gladioli</i> P. Henn. (rust), <i>U. nyikensis</i> Syd. (rust).
<i>Watsonia</i> spp. (bugle lily), except bulbs in commercial shipments.	Argentina, Uruguay .....	<i>U. gladioli</i> P. Henn. (rust).
<i>Zizania</i> spp. (wild rice) seed only (all other <i>Zizania</i> articles are included under Poaceae).	Africa, Brazil, France, Italy, Malta, Mauritius, Portugal.	<i>U. transversalis</i> (Thuem.) Wint. (rust).
	All except Canada .....	<i>Xanthomonas campestris</i> pv. <i>oryzae</i> (Ishiyama) Dye.

(b) The following listed articles from all foreign places except Canada are prohibited articles and are prohibited from being imported or offered for entry into the United States except as provided in paragraph (c) of this section:

(1) *Rhododendron* spp. (rhododendron and azalea) or other genera or species of similar slow growth habit, other than artificially dwarfed plants meeting the conditions in §319.37-5(q):

(i) Exceeding 3 years of age if grown from seeds or cuttings; or

(ii) Exceeding 2 years of age after severance from the parent plant if produced by layers; or

(iii) Having more than 3 years' growth from the bud or graft if produced by budding or grafting.

(2) Any naturally dwarf or miniature form of tree or shrub exceeding 305 millimeters (approximately 12 inches) in length from the soil line.

(3) Herbaceous perennials (except epiphytes) imported in the form of root crowns or clumps exceeding 102 millimeters (approximately 4 inches) in diameter.

(4) Stem cuttings without leaves, without roots, without sprouts, and without branches (other than cactus cuttings and cuttings of epiphytes) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length; and stem cuttings of epiphytes with or without aerial roots (without leaves, without sprouts, and without branches) exceeding 102 millimeters (approximately 4 inches) in diameter or exceeding 1.83 meters (approximately 6 feet) in length.

(5) Cactus cuttings (without roots or branches) exceeding 153 millimeters (approximately 6 inches) in diameter or exceeding 1.22 meters (approximately 4 feet) in length.

(6)(i) Plants (other than stem cuttings, cactus cuttings, artificially dwarfed plants meeting the conditions in §319.37-5(q), *Dracaena* spp. plants from Costa Rica meeting the conditions of §319.37-5(y), and palms and plants whose growth habits simulate palms) exceeding 460 millimeters (approximately 18 inches) in length from soil line (top of rooting zone for plants produced by air layering) to the farthest terminal growing point and whose growth habits simulate the woody habits of trees and shrubs, including but not limited to cacti, cycads, yuccas, and dracaenas.

(ii) Palms and plants whose growth habits simulate palms, that exceed a

total length (stem plus leaves) of 915 millimeters (approximately 36 inches) in length.

(7) Any tree or shrub of a type not listed above, other than an artificially dwarf plant meeting the conditions in §319.37-5(q), and:

(i) Exceeding 2 years of age if grown from seeds or cuttings; or

(ii) Exceeding 1 year of age after severance from the parent plant if produced by layers; or

(iii) Having more than 2 years' growth from the bud or graft if produced by budding or grafting.

(c) Any article listed as a prohibited article in paragraph (a) or (b) of this section, and any article listed in accordance with §319.37-2a of this subpart as an article whose importation is not authorized pending pest risk analysis, may be imported or offered for entry into the United States if:

(1) Imported for experimental, therapeutic, or developmental purposes under the conditions specified in a controlled import permit issued in accordance with §319.6;

(2) Imported at the National Plant Germplasm Inspection Station, Building 580, Beltsville Agricultural Research Center East, Beltsville, MD 20705 or through any Federal plant inspection station listed in §319.37-14;

(3) Imported pursuant to a controlled import permit issued for such article and kept on file at the port of entry;

(4) Imported under conditions specified on the controlled import permit and found by the Administrator to be adequate to prevent the introduction into the United States of plant pests, i.e., conditions of treatment, processing, growing, shipment, disposal; and

(5) Imported with a controlled import tag or label securely attached to the outside of the container containing the article or securely attached to the article itself if not in a container, and with such tag or label bearing a controlled import permit number corresponding to the number of the controlled import permit issued for such article.

[45 FR 31585, May 13, 1980]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §319.37-2, see the List of CFR Sections Affected, which appears in the



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Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

### **§ 319.37-2a Taxa of regulated plants for planting whose importation is not authorized pending pest risk analysis.**

(a) *Determination by the Administrator.* The importation of certain taxa of plants for planting poses a risk of introducing quarantine pests into the United States. Therefore, the importation of these taxa is not authorized pending the completion of a pest risk analysis, except as provided in § 319.37-2(c). Lists of these taxa may be found on the Internet at [http://www.aphis.usda.gov/import\\_export/plants/plant\\_imports/Q37\\_nappa.shtml](http://www.aphis.usda.gov/import_export/plants/plant_imports/Q37_nappa.shtml). There are two lists of taxa whose importation is not authorized pending pest risk analysis: A list of taxa of plants for planting that are quarantine pests, and a list of taxa of plants for planting that are hosts of quarantine pests. For taxa of plants for planting that have been determined to be quarantine pests, the list includes the names of the taxa. For taxa of plants for planting that are hosts of quarantine pests, the list includes the names of the taxa, the foreign places from which the taxa's importation is not authorized, and the quarantine pests of concern.

(b) *Addition of taxa.* A taxon of plants for planting may be added to one of the lists of taxa not authorized for importation pending pest risk analysis under this section as follows:

(1) *Data sheet.* APHIS will publish in the FEDERAL REGISTER a notice that announces our determination that a taxon of plants for planting is either a quarantine pest or a host of a quarantine pest. This notice will make available a data sheet that details the scientific evidence APHIS evaluated in making the determination that the taxon is a quarantine pest or a host of a quarantine pest. The data sheet will include references to the scientific evidence that APHIS used in making the determination. In our notice, we will provide for a public comment period of a minimum of 60 days on our addition to the list.

(2) *Response to comments.* (i) APHIS will issue a notice after the close of the public comment period indicating that

the taxon will be added to the list of taxa not authorized for importation pending pest risk analysis if:

(A) No comments were received on the data sheet;

(B) The comments on the data sheet revealed that no changes to the data sheet were necessary; or

(C) Changes to the data sheet were made in response to public comments, but the changes did not affect APHIS' determination that the taxon poses a risk of introducing a quarantine pest into the United States.

(ii) If comments present information that leads us to determine that the taxon does not pose a risk of introducing a quarantine pest into the United States, APHIS will not add the taxon to the list of plants for planting whose importation is not authorized pending pest risk analysis. APHIS will issue a notice giving public notice of this determination after the close of the comment period.

(c) *Criterion for listing a taxon of plants for planting as a quarantine pest.* A taxon will be added to the list of taxa whose importation is not authorized pending pest risk analysis if scientific evidence causes APHIS to determine that the taxon is a quarantine pest.

(d) *Criteria for listing a taxon of plants for planting as a host of a quarantine pest.* A taxon will be added to the list of taxa whose importation is not authorized pending pest risk analysis if scientific evidence causes APHIS to determine that the taxon is a host of a quarantine pest. The following criteria must be fulfilled in order to make this determination:

(1) The plant pest in question must be determined to be a quarantine pest; and

(2) The taxon of plants for planting must be determined to be a host of that quarantine pest.

(e) *Removing a taxon from the list of taxa not authorized pending pest risk analysis.* (1) Requests to remove a taxon from the list of taxa not authorized pending pest risk analysis must be made in accordance with § 319.5 of this part. APHIS will conduct a pest risk analysis in response to such a request. The pest risk analysis will examine the